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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/522,061	01/20/2005	Karl-Heinz Kochem	05581-00135-US	7019
23416	7590	05/15/2007	EXAMINER	
CONNOLLY BOVE LODGE & HUTZ, LLP			NAKARANI, DHIRAJLAL S	
P O BOX 2207			ART UNIT	PAPER NUMBER
WILMINGTON, DE 19899			1773	
MAIL DATE		DELIVERY MODE		
05/15/2007		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/522,061	KOCHEM ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	D. S. Nakarani	1773

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 20 January 2005.
- 2a) This action is FINAL.                                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-18 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-18 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 01/20/2005
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_

## DETAILED ACTION

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Amon (U. S. Patent 6,572,960 B2 and U. S. Patent 6,183,856 B1 which is incorporated by reference in U. S. Patent 6,572,960 B2 at column 5, lines 9-10) in view of Biddiscombe (U.S. Patent Application Publication US 2002/0015834 A1) and Bothe et al (U.S. Patent 4,997,700).

Amon discloses opaque, oriented polymeric film comprising core layer having a plurality of voids free from a void initiating particle (Abstract). Amon also discloses three, four and five layer structures (Col. 7, lines 23-43). Amon discloses a density of core layer preferably less than 0.7 g/cm<sup>3</sup>, and, in particular less than 0.6 g/cm<sup>3</sup> (Col. 6, lines 56-63 of U.S. Patent 6,183,856 B1). Amon also discloses skin layer made of a random copolymer of ethylene and propylene having ethylene content of 2-3 wt% (Col. 11, lines 34-36 of U.S. Patent 6,183,856 B1). Amon suggests addition of titanium dioxide in core layer or outer skin layer (Col. 6, lines 35-40). Amon discloses other additives such as anti-static agents, slip agents, anti-tack agents (i.e. anti-blocking agent) etc to the skin layer (Col. 6, lines 41-59). Amon discloses surface treatment of skin layer by plasma,

corona, flame etc. (Col. 8, lines 1-11). Amon fails to disclose polymer of intermediate layer and claimed polypropylene properties of the skin layer.

Biddiscombe discloses biaxially oriented film comprising voided core layer polypropylene homopolymer and intermediate layers of polypropylene homopolymer and skin layers of propylene – ethylene copolymer. Biddiscombe's core layer has density less than 0.7 g/cm, specifically 0.50 g/cm<sup>3</sup> (abstract and Example 1).

Bothe et al disclose a biaxially oriented film having core layer of polypropylene, heat sealable layer of propylene-ethylene copolymer on one side of the core and the another side of the core is a metalizable layer of ethylene-propylene copolymer having ethylene content 1.2 to 2.8 wt% (Abstract). The metalizable layer has good gloss and scratch resistant. The metalizable layer forming ethylene-propylene has enthalpy of fusion greater than 90 J/g. Since amount of ethylene in ethylene propylene copolymer of Bothe and Amon (U.S. Patent 6,183,856 B1) falls within claimed range and enthalpy of fusion is greater than 90 J/g, the claimed melting point, melting enthalpy etc deemed to fall within claimed range unless shown otherwise.

Therefore it would have been obvious to a person of ordinary skill in the art at the time of this invention made to utilize disclosure of Biddiscombe and Bothe et al in the invention of Amon to make intermediate layer as taught by Biddiscombe and make skin layer as taught by Bothe et al for scratch resistant.

No claims are allowed.

3. Receipt of Information Disclosure Statement filed January 20, 2005 is acknowledged and has been made of record. Some of the references cited have been crossed-out because they appear to be irrelevant to the claimed subject matter. It is not helpful to recite irrelevant references on the printed patent from this application because it would hinder the public from finding useful relevant references having to wade through numerous irrelevant documents. If applicants wish for any of crossed-out references to be considered, re-submission of crossed-out documents along with a concise statement of their relevancy to the claimed subject matter is required.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to D. S. Nakarani whose telephone number is (571) 272-1512. The examiner can normally be reached on Tuesday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carol Chaney can be reached on (571) 272-1284. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



**D. S. Nakarani**  
**Primary Examiner**  
**Art Unit 1773**

DSN  
May 13, 2007.